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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,617	06/27/2003	Jeremy Michael Green	9D-HL-20031	9877

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EXAMINER

RINEHART, KENNETH

ART UNIT

PAPER NUMBER

3749

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,617

Applicant(s)

GREEN ET AL.

Examiner

Kenneth B Rinehart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 11, 15-20 and 23 is/are rejected.
- 7) ☒ Claim(s) 3, 6-10, 12-14, 21, 24 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/28/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 5, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Joslin. Joslin shows varying only one of the variable heat source (col. 2, lines 52-58) and the variable speed blower (col. 1, lines 34-37), while maintaining the other one in a fixed state (blower operates at a fixed state while heat source is variable), a drum comprising a cavity configured to hold articles to be dried (14, fig. 1), a first motor drivingly coupled to said drum to rotate said drum (16, fig. 1), a variable heat source in flow communication with said cavity (12, fig. 1), and a variable speed motor (16, fig. 1) drivingly coupled to a blower (20, fig. 1) positioned to deliver air heated by said heat source to said cavity (col. 1, lines 30-31), a controller (22, fig. 1) operatively coupled to said variable speed motor (16, fig. 1) and said variable heat source (12, fig. 1) and at least one temperature sensor operatively coupled to said controller (18, fig. 1) and positioned to sense a temperature associated with the dryer (fig. 1) and generate a temperature signal representative of the sensed temperature, said controller operable to receive the temperature signal and control one of said variable speed motor and said variable heat source based on the temperature signal (col. 2, lines 10-14, fig. 1), at least one temperature sensor positioned to sense a temperature associated with the dryer and configured to generate a temperature signal representative of the sensed temperature (18, fig. 1); and a controller

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operatively coupled to said at least one temperature sensor and configured to receive the temperature signals (22, fig. 1), said controller configured to control the operation at least one of the variable speed blower motor and the variable heat source in a plurality of control modes based on the received signals (fig. 1, col. 3, lines 28-40).

Claims 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Rickard.

Rickard shows a heater element supplying heated air to a drum comprising a cavity (32, 33, fig. 1) at least one temperature sensor providing a signal indicative of cavity outlet temperature (col. 6, lines 9-11); and a controller operatively coupled to said heater element and said at least one temperature sensor and configured to vary at least one of a voltage and a current to said heater element based on said signal from said temperature sensor to substantially maintain a predetermined cavity outlet temperature (fig. 2, 60, fig. 4, 54, fig. 4), said controller is further configured to receive a signal from a user representing a fabric type and substantially maintain a predetermined cavity outlet temperature based on the received signal representative of fabric type (col. 6, lines 1-6). Regarding claims 17-20, the language, said voltage is gradually reduced to substantially maintain said predetermined cavity outlet temperature, said voltage is gradually reduced linearly, said current is gradually reduced to substantially maintain said predetermined cavity outlet temperature, said current is gradually reduced linearly, is functional language and is given little patentable weight.

Claims 2 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hunter et al. Hunter et al shows fixing the variable heat source in a fixed state (col. 9, lines 38-47); varying a speed of the variable speed blower (col. 9, lines 38-47); monitoring the dryer for the occurrence of a heat event (col. 2, lines 60-64) fixing the speed of the variable speed blower when the heat

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event occurs (col. 2, lines 60-64, col. 9, lines 60-64); and varying the variable heat source when the blower is in the fixed state (col. 9, lines 38-47) at least one temperature sensor positioned to sense a temperature associated with the dryer and configured to generate a temperature signal representative of the sensed temperature (col. 8, lines 65-67), at least one pressure sensor positioned to sense a pressure associated with the dryer and configured to generate a pressure signal representative of the sensed pressure (col. 9, lines 1-6); and a controller operatively coupled to said at least one temperature sensor and said at least one pressure sensor and configured to receive the temperature and pressure signals and control the operation at least one of the variable speed blower motor and the variable heat source based on at least one of the received signals (col. 5, lines 37-44).

Allowable Subject Matter

Claim 22 is allowed.

Claims 3, 6-10, 12-14, 21, 24, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to driers in general: Weagraff (5546673).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B Rinehart whose telephone number is 703-308-1722. The examiner can normally be reached on 7:30 -4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus can be reached on 703-308-1935. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KBR


KENNETH RINEHART
PRIMARY EXAMINER